

Disruptive or aggressive behaviour by parents and carers whilst on school premises

Guidance to school personnel and governing bodies



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Introduction

This handbook aims to provide guidance to school personnel and governing bodies in respect of problems experienced by schools relating to disruptive or aggressive behaviour by parents and carers whilst on school premises, via telephone or on social media. Such issues are increasingly challenging schools, requiring a disproportionate amount of time being spent by teaching personnel in an effort to resolve and negatively impacting upon the available time spent with pupils.

In recognition of the difficulties experienced, and in an effort to respectfully inform parents and carers of the challenges faced, a letter has been drafted to parents and carers for use by schools reiterating the rights of pupils to learn and school personnel to work in a safe and protective environment and discouraging the posting of comments relating to school or individual personnel on social media. The letter has been drafted with the support of Merseyside Police and Liverpool City Council and is contained at **Annex A**.

In respect of disruptive or aggressive behaviour whilst on school premises, the Department for Education advises that schools should have a written policy detailing

the conduct expected of parents, carers or visitors to the school and the procedure to adopt should a school wish to restrict access to school premises. A poster to display within school premises (**Annex B**) are within this handbook and clearly specify the conduct expected together with template letters (**Annex C**). In addition, this handbook contains advice on how to deal with aggressive, abusive or threatening telephone calls and includes forms to assist in recording of such calls or other incidents. When dealing with parents, it is important to record all incidents in the event the matter escalates.

Annex D of this handbook provides a recording form in such regard.

With regard to the use of social media for parents and carers views, unhelpful comments relating to school and their individual teaching personnel are increasingly being posted on social media platforms. Such comments may constitute harassment or defamation and may require legal advice to be sought in respect of further legal action. It is advisable that schools have a social media policy (either separate or part of their Code of Conduct) which can be relied upon when dealing with such unhelpful postings. Pages 8-10 of this handbook provide guidance on this.

Schools should continue to welcome constructive feedback and encourage parents and carers to discuss their concerns, which may initially be with the relevant member of teaching personnel or senior leadership, however any complaints should be channelled via the school's complaint's policy. A model complaint's policy (**Annex E**) is attached for consideration and may be adopted by school.

This handbook is for use by all schools. Should further advice be required, subject to internal resources and any potential conflict of interest, City Law & Governance, Legal Services may be able to provide legal advice on these matters. The hourly rate is currently £75 per hour and if external legal advice is required (e.g. from a barrister) this will be billed for separately.

Dealing with aggressive, abusive or threatening behaviour on school premises by parents and carers

There can be occasions where parents and carers behave in a manner which is wholly unacceptable and display behaviour which is aggressive or threatening. On such occasions the Head Teacher (or designated member of staff) should fully risk assess the situation before deciding on the appropriate course of action. Relevant factors to be considered include;

- Whether the parent or carer has been verbally or physically aggressive, threatening or have they intimidated any other person on the premises?
- Evidence of the incident. Are there any witnesses and if so what do they say happened?
- Does the parent or carer have any previous known history of aggression or violence and/or have they persistently been abusive to school staff, pupils or visitors?

- Is there a risk (low/medium/high) that such behaviour may be repeated?
- Does the conduct have the ability or potential to cause harm or distress to pupils, school staff or other parents?

Once such factors have been considered, there are a number of options that the Head

Teacher may wish to take. This includes;

- Inviting the parent or carer to a meeting to discuss the incident;
- Confirming in writing to the parent or carer the considered acceptable behaviour by the school and the consequences of repeat behaviour (warning letter);
- Withdrawing permission for the parent or carer to enter the school site and/or buildings;
- Informing the police

Inviting the parent or carer to a meeting to discuss the incident

In some circumstances it may be appropriate to invite the parent or carer to a meeting to discuss the incident. However, the safety of participants in the meeting should be fully considered and it is recommended that members of school staff should be accompanied by at least one other colleague at any such meeting. Seating arrangements, room access and exits together with the points to be discussed should be fully considered ahead of the meeting. Any agreed actions within the meeting should be noted and it is advised that a follow up letter should be sent after the meeting stating the school's expectations and any agreed actions **confirming in writing to the parent or carer the considered acceptable behaviour by the school and the consequences of repeat behaviour (warning letter)**

On occasions it may be appropriate to simply write to the parent or carer setting out the expectations of the school in respect of behaviour and what advising of the consequences of repeat behaviour (usually the withdrawal of permission to enter the school site). This could be explained in a meeting too, however any verbal

explanation should always be followed up in writing. Please see template warning letter at Annex C.

Withdrawing permission for the parent or carer to enter the school site and/or buildings

In more serious circumstances involving actual or threatened aggression or violence, or persistent abuse and/or intimidation, consideration should be given as to whether it is safe for the parent to continue to come onto the school site or enter school buildings.

School premises are not open venues for access by any member of the public. Visitors must have an explicit or implied licence to enter the school site/building and anyone who enters without the school's permission is a trespasser. Accordingly, if appropriate, it is possible to withdraw permission for the parent or carer to enter the school premises however any decision to do so must be fair, necessary, and for an appropriate length of time having considered all the circumstances following a fair and proper procedure.

The decision to withdraw permission (i.e. ban the parent from school premises) can be challenged by means of judicial review and therefore it is imperative that the ban is necessary and the length of ban is appropriate. It may be considered that a warning would suffice as opposed to a ban (see above) and any decision to ban a parent should be made after a fair and proper procedure has been followed by a committee of governors taking into account all the circumstances. Any decision to ban should be confirmed in writing to the parent or carer stating the reasons why it is necessary to withdraw permission allowing entry to school premises and an opportunity to make representations should also be provided.

The period of any ban must be reasonable and appropriate having regard to the individual circumstances. A consistent approach as to the duration of the ban should be maintained and a review undertaken before confirmation is provided that the ban has been lifted.

If a parent or carer has been banned from entering school premises, then it may be appropriate to make alternative arrangements in respect of their attendance at school activities i.e. plays/assemblies/parents evening and subject to the age of the pupil then it may be necessary to make alternative arrangements in respect of

dropping off and picking up the pupil from school. A clear direction should also be provided to the parent or carer as to how they should communicate any practical issues they may have for discussion with the class teacher.

Informing the police

In an emergency or serious situation the police should be informed immediately. If the parent or carer has previously been banned from the school premises yet have still entered the site, then the police should be notified as the police have the power to remove such person from the school premises.

In respect of situations where there is no immediate threat to staff, pupils or other members of the school community or property, Head Teachers may wish to inform their local community police officer of the situation.

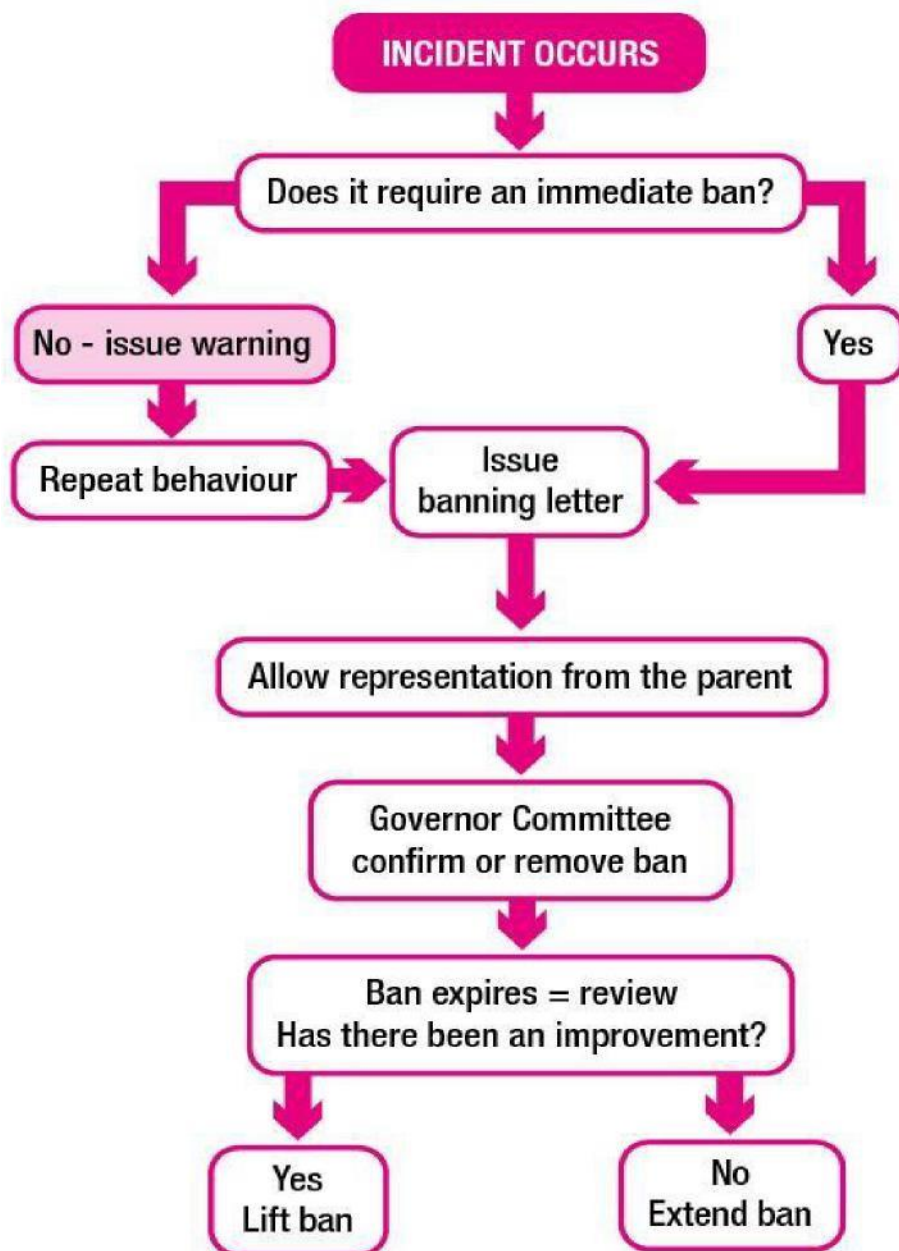
Where appropriate, the police may consider warning the parent or carer of formal action which can include legal proceedings.

As referenced earlier, please see the following documents to assist with this issue;

- Notice to display in school – Annex B
- Template letters – Annex C

The flowchart below summarises the procedure of withdrawing permission for a parent or carer to enter school premises.

Process of implementing a ban



Dealing with aggressive, abusive or threatening telephone calls by parents/carers

On occasions school personnel may have to deal with aggressive, abusive or threatening telephone calls by parents and carers. During such calls school personnel should remain calm and polite and actively listen to the caller. It may be necessary to apologise to the caller for any error that has occurred or to refer the caller to the Head Teacher (or designated member of staff). It is important that school personnel never respond in the same manner as the abusive caller and the suggested scripts below can be utilised to try and diffuse the situation or end the

call. Whilst every attempt should be made to meet the needs of the caller, school personnel should be aware that it is acceptable to end an abusive phone call.

Suggested script for aggressive, abusive or threatening telephone calls;

If the caller begins to raise their voice/swear/become abusive:-

“Please don’t raise your voice/swear at me. I am not raising my voice or being rude to you and should you continue then I will have no alternative but to end this call.”

If the caller continues to raise their voice/swear/be abusive:-

“Whilst I appreciate you are upset/frustrated, I am not prepared to continue to be spoken to by you in this manner. Please either call back once you have calmed down or alternatively please inform the school of your views in writing”

If despite the above the caller continues to raise their voice/swear/be abusive:-

“I asked you to refrain from raising your voice/swearing/being abusive earlier in the call and you have failed to do so. Accordingly, I am going to have to end this call”. End call

Following receipt of such a call it is advised that the recipient makes a written note of the telephone call or alternatively complete the appropriate parts of the incident recording form at annex D. The incident should also be reported to the appropriate line manager.

Dealing with parents and carers comments via social media relating

to school and individual teaching personnel

The use of social media by parents, carers or pupils to complain or inappropriately comment about a school or a teacher is on the increase. Some comments posted may amount to cyber bullying and consist of threats, harassment and defamation which can lead to low staff morale, loss of staff, a reduction in the recruitment to the teaching profession or damage to the individual's or school's reputation.

Whilst it is appreciated that schools will never be in a position to actively “police” all social media platforms for comments about school or their staff, should a post be brought to a member of school personnel's attention and it is inaccurate or abusive, action needs to be taken to protect the individual employee and school's reputation; to avoid the subject matter escalating; and, to discourage future posts of the same nature.

In respect of closed groups i.e. on Facebook or WhatsApp created by parents or carers to discuss school matters, it is important that schools inform the school community that such groups are not commissioned or authorised by the school. A reminder confirming that school has an “open door” policy and of the appropriate channels to be used if parents or carer have any concerns or issues should be provided together with the fact that school are unable to act on matters which are not within their knowledge.

School should keep all staff safe from abuse, threats and violence and this includes cyberbullying. Once aware of the post, consideration must be given by the school as to the contents of the comments and whether they are serious enough to constitute a criminal offence, harassment and/or defamation.

It is a criminal offence to “send by means of a public electronic communications network a message or other matter that is grossly offensive or of an indecent, obscene or menacing character” (The Communications Act 2003). If guilty then this offence is punishable by imprisonment (up to 6 months) and a fine (up to £5,000). Pursuant to the Protection from Harassment Act 1997 “a person must not pursue a course of conduct which amounts to harassment of another or others and which he knows or ought to know amounts to harassment of that or those others”. Therefore communications sent via social media which target an individual may amount to

harassment. If proven, an injunction to refrain from such conduct may be granted and compensation ordered.

The Defamation Act 2013 defines a defamatory statement is one that “tends to lower the claimant in the estimation of right-thinking members of society generally”. The statement must have caused (or be likely to cause) serious harm to the claimant’s reputation and if proven, compensation can be ordered.

Therefore, a number of options are available if the content of the postings are sufficiently serious. However, in view of the likelihood of further distress/anxiety arising upon pursuing such course of action (together with costs involved), it is advised that all possible preventive steps are taken to discourage the use of social media as a platform for parents and carers to inappropriately comment or raise their concerns in respect of school.

It is advisable that schools have a Code of Conduct and a Social Media Policy in place.

Both should be reviewed regularly, easily accessible on the school’s website and signposted to parents at least once every academic year.

The Code of Conduct should clearly set out the school’s expectations of parents and carers which could include;

- Parents and carers are expected to refrain from discussing the business of school or children attending school in any public forum, including social media sites.
- The use of social media websites to fuel campaigns and complaints against schools is unacceptable and not in the best interests of the children or the whole school community.
- If a pupil, parent or carer is found to have posted defamatory comments on social networking sites, the school will report them to the website host and the school expects the person who posted the comments to remove the comments immediately

Schools can also set guidelines concerning parental online behaviour in their Social Media Policy. Such policy can be utilised to inform parents and carers of their responsibilities when using social networks and can include;

- Parents and carers are not expected to post pictures of pupils other than their own children on social networking sites;
- Parents and carers should make complaints through official school channels as opposed to posting them on social networking sites; and
- Parents and carers should not post malicious or fictitious comments on social networking sites about any member of the school community.

Having an established Code of Conduct and Social Media Policy will greatly assist in responding appropriately to such postings (if and when necessary) and will also provide support to school personnel when dealing with such circumstances.

When such postings occur, an appropriate response is required. When dealing with online abuse or inaccurate comments, it is recommended that school personnel;

- Never retaliate or personally engage with the incident;
- Immediately inform the appropriate personnel, i.e. Head teacher and the Police in the event that the law has been broken;
- Ensure that records of the comments/abuse are kept via screen shots, log the time, date and website address for future reference.
- Attempt to get the comments removed by contacting the host (the social networking site) to request the content is removed and stating why/how the comments contravene the host site's term and conditions.

Depending on the circumstances, it may be appropriate to meet the parents or carers who have been involved in posting the inaccurate/abusive comments. This should be via a meeting with the Head Teacher who should address the matter of social networking and explain how such behaviour detrimentally impacts on the school and thus on their children's education.

It is advisable that printouts of the comments are available in the meeting and that the parents or carers are made aware that comments posted online, even when made

'privately', can on occasions be misinterpreted and shared without their knowledge or consent.

If necessary, the Head Teacher should inform the parents or carers that they may have to take further action which could include civil proceedings under the Defamation Act 2013 or alternatively criminal proceedings in some circumstances.

The Head Teacher should refer to the content of the school's Code of Conduct, Social

Media Policy and Complaints Policy directing the parent or carer's compliance with same and confirming that any complaints should be channelled through the school's Complaints Policy. Please see model Complaint Policy at Annex E.

This handbook is for use by all schools. Should further advice be required, subject to internal resources and any potential conflict of interest, the City Solicitors Office may be able to provide legal advice on these matters. The hourly rate is currently £75 per hour and if external legal advice is required (e.g. from a barrister) this will be billed for separately.

Annex

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 - Template Letter - Letter 1 - Warning letter to parent (sent by Headteacher).
 - Template letter - Letter 2 - Withdraw permission pending review (sent by Headteacher)
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 - Template letter - Letter 4 - Restore permission after review by Chair of Governors (sent by Chair of Governors)

- Template letter - Letter 5 - Continue ban after second review
 - (sent by Chair of Governors)

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Annex A - Draft letter to parents and carers from school in respect of disruptive parents and social media issues

School logo and details



Dear Parents / Carer

At **(Insert School Name)** we are fortunate that the majority of parents and carers appreciate that educating our pupils involves partnership between all of the school community. A good working partnership is important to equip pupils with the necessary skills for adulthood and we welcome and encourage parents and carers to fully participate in the life of our school.

Unfortunately, the behaviour of a minority of parents and carers can impact negatively upon the good working partnership. We believe that all school staff, parents, carers and pupils are entitled to a safe and protective environment in which to learn and work. The

purpose of this letter is to provide a reminder of the conduct expected from all visitors to our school.

Disruptive behaviour

For many of us this may come as a surprise, however a third of schoolteachers nationally have suffered abusive behaviour from parents and carers in the past. We firmly believe that all members of the school community have the absolute right to work and be in school without fear of aggression or abusive behaviour from parents and carers. Such behaviour can be through face to face contact, in written communications, on the telephone or by the use of social media and can present a risk to staff and pupils. To support a safe school environment, we cannot tolerate parents, carers or visitors who exhibit any of the following behaviour:

- Use of loud and/or offensive language or display temper
- Threaten to carry out actual bodily harm to any other person on school premises
- Damage/destroy school property
- Intimidate any other person on school premises
- Make vexatious or malicious allegations against a member of the school community, either in writing or via direct contact verbally
- Insult any member of the school community in an attempt to demean or undermine

The above list is not exhaustive and any individual exhibiting disruptive or unreasonable behaviour will be considered in accordance with the school's Code of Conduct (which can be accessed via [hyperlink](#)). The school may ultimately decide to impose restrictions on an individual when entering the school premises including a ban from school entirely, which may also extend to non-admittance to school events such as pupil plays/assemblies and communications restricted to writing or via a third party.

The use of social media for parents' views

Whilst we appreciate the right to freedom of speech and recognise the benefits of using social media, unfortunately on occasions we experience situations where members of the school community use social media to exhibit inappropriate behaviour.

It is further appreciated that social media users may be of the opinion that their postings are 'private'. However, once a comment is posted other social media users can forward/share such views. If postings are considered to be threatening or discriminatory, the school may have to refer the matter to the Police and report it to the social media provider. Given the above we ask you never to refer to individual pupils or any member of school staff on social media and we respectfully refer all members of the school community to our Social Media Policy which can be accessed via [\(insert hyperlink\)](#).

It is recognised that parents and carers may not always agree with a particular course of action taken by the school or may have concerns in respect of the school community. We welcome constructive feedback and encourage concerns to be discussed with the relevant person in the school in the first instance. Any complaints which cannot be resolved in this manner should be channelled via our school's complaint policy which can be accessed via [\(insert hyperlink\)](#).

In connection with a city-wide drive to tackle disruptive behaviour and social media issues, this letter is provided to our school community with support from the Chair of Governors, Merseyside Police and Liverpool City Council. We encourage parents and carers to promote positive role models in both the real and digital world. We seek to provide a safe and protective environment in which they can learn and school personnel can work.

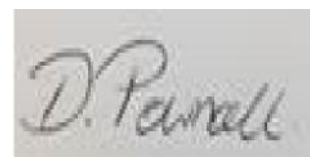
Kind Regards,



Jenny Turnross, Director of Education

Diane Pownall

Supt Liverpool Community Policing LP Command



Annex B - Notice to display in school

School logo
and details



We welcome visitors to our school.

We will act to ensure it remains a safe place for pupils,
staff and all other members of our community.

If you have concerns, we will always listen to them and
seek to address them.

Please be aware however, that school personnel have the right to work without fear. Abusive, threatening or violent behaviour will not be tolerated in this school.

Visitors behaving in this way are likely to be removed from the premises and prosecuted.

Annex C Letter 1 - Warning letter to parent (sent by Headteacher)

Dear,

This letter is to inform you that the governing body of the school considers your actions whilst on school grounds [DETAIL BEHAVIOUR], to be wholly unacceptable.

We would ask you to bear in mind the fact that such behaviour on a school site can be confusing, intimidating, disruptive and distressing to pupils, staff and parents/carers.

Please note that the school expects certain standards of behaviour of all people in their dealings with the school.

These include:

- behaving reasonably;
- treating others with courtesy and respect;
- avoiding intimidation, physical and verbal aggression at all times.

School has various steps open to it if we believe that these standards are breached. These include:

- making special arrangements for meetings and communication with the school;
- considering a ban from the school premises; • considering legal action.

I would ask that you cease acting in the manner detailed above, and advise that any further acts of inappropriate behaviour may result in action being taken by School.

Yours sincerely

Headteacher

Annex C Letter 2 - Withdraw permission pending review (sent by Headteacher) LETTER TO PARENT

Dear (name)

I write further to my letter of DATE in which I outlined the standards of behaviour expected of all people in their dealings with the school along with steps that the school may exercise should these standards be breached. Despite this, I am now writing to you following your conduct on (enter dates(s) and time(s)) OR; I write to you following your conduct on (enter date(s) and time(s))

(Add summary of the incident and the effect on staff, pupils or other parents)

I must inform you that the governors will not tolerate conduct of this nature on the school's premises and will act to defend its staff and pupils. I am therefore instructing that, for a temporary period *(insert from and to dates, usually 2-3 weeks in total, not usually longer than half a term)* you are not to reappear on the premises of the school. If you do not comply with this instruction I shall arrange for you to be removed from the premises of the school. If you cause a nuisance or disturbance on the premises, you may be prosecuted under Section 547 of the Education Act 1996; if convicted under this section, you are liable to a fine of up to £500.

For the duration of this decision you may bring your child(ren) to school and collect them/him/her at the end of the school day, but you must not go beyond the school gate. *[Detail drop off/collection ,e.g. to be collected and returned at the school gate by a member of school staff].*

The withdrawal of permission for you to enter the school premises takes effect straightaway. However the Chair of Governors will determine if it is appropriate to confirm this decision. Before they do so, you have an opportunity to provide, in writing, any comments or observations of your own in relation to the above

incident(s). These comments may be to challenge or explain the facts of the incident, or express regret and give assurances about your future good conduct. You are asked to send any written comments you wish to make by *(date 10 working days from date of letter)* for the attention of the Chair of Governors.

Yours sincerely

Headteacher

LETTER TO PARENT Annex C Letter 3 - Withdrawal of permission confirmed (sent by Chair of Governors)

Dear

On the Headteacher wrote to inform you that he/she had withdrawn permission for you to come onto the premises ofschool. To enable me to determine whether to confirm this decision, you were given the opportunity to give your written comments on the incident(s) concerned by

I have not received a written response from you/I have received a letter from you dated....., the contents of which I have carefully considered.

In the circumstances and after further consideration, I have determined that the decision to withdraw permission for you to come onto school premises should be confirmed. Accordingly, you are instructed that, until further notice, you are not to come onto the premises of the school without the prior knowledge and approval of the head teacher until **[DATE]**.

Should you not comply with this instruction I shall arrange for you to be removed from the premises of the school. If you cause a nuisance or disturbance on the premises, you may be prosecuted under Section 547 of the Education Act 1996 and if convicted you may be liable to a fine of up to £500.

Even though we have taken this decision, the Headteacher and staff at school remain committed to the education of your child(ren), who must continue to attend school as normal under the arrangements set out in the head teachers previous letter.

This decision will be reviewed again before the expiry of the withdrawal of your permission to come onto the school premises. When deciding whether it will be necessary to extend the withdrawal of permission to come onto the school premises, consideration will be given to the extent of your compliance with the decision, any appropriate expressions of regret and assurance of future good conduct received from you; and any evidence of your co-operation with the school in other respects.

Yours sincerely

Chair of Governors

Annex C Letter 4 - Restore permission after review by Chair of Governors (sent by Chair of Governors)

Dear

On I wrote to inform you that on the advice of the Headteacher I had temporarily withdrawn permission for you to come onto the premises of School. To enable me to determine whether to confirm this decision, I gave you the opportunity to give your written comments on the incident concerned by...

I have not received a written response from you/I have received a letter from you dated, the contents of which I have carefully considered.

In the circumstances, and after consulting further with the head teacher, I have decided that it is not necessary to confirm the decision and I am therefore restoring to you permission to come onto the school premises, with immediate effect.

(Optional) I must warn you, however, that if it should become necessary in the future I shall not hesitate to withdraw permission for you to come onto the school premises once again.

Yours sincerely

Chair of Governors

Annex C Letter 5 - Continue ban after second review (sent by Chair of Governors)

Dear

I wrote to you on confirming that permission for you to come onto the premises of School had been withdrawn until **[DATE]**. I also advised you I would take steps to review this decision before its expiry.

I have now completed the review. However, after consultation with the head teacher, I have determined that it is not yet appropriate for me to restore your permission to come onto the school premises. **(Add brief summary of reasons).**

I therefore advise that the instruction that you are not to come onto the premises of School, without the prior knowledge and approval of the head teacher remains in place for a further period until **[DATE]**. If you do not comply with this instruction I shall arrange for you to be removed from the premises and you may be prosecuted under section 547 of the Education Act 1996 and if convicted you may be liable to a fine of up to £500.

I shall undertake a further review of this decision before the revised expiry date of the withdrawal of your permission to come onto the school premises.

In the meantime you can write to me with a statement of your views, which I will consider.

Yours sincerely

Chair of Governors

Appendix C Letter 6 - Restore permission after later review (sent by Chair of Governors)

Dear

I wrote to you on confirming that permission for you to come onto the premises of..... school had been withdrawn until [DATE]. I also advised you I would take steps to review this decision before its expiry.

I have now completed the review. After consultation with the head teacher I have decided that it is appropriate to restore permission for you to come onto the school premises with effect from **[DATE OF BAN END]**.

I trust that you will now work together with the school and there will be no further difficulties of the kind which made it necessary to restrict your access to the school premises.

(Optional) I must warn you, however, that if it should become necessary in the future I shall not hesitate to withdraw permission for you to come onto the school premises once again.

Yours sincerely

Chair of Governors

Appendix D -Recording forms – telephone/other incidents

INCIDENT RECORDING FORM	
Date and Time of incident	
Details of person(s) verbally abused/assaulted	
Name	
Position	
Contact details	
Details of perpetrator	
Name	
Relationship to school (parent/carer to pupil(s) year(s))	

Contact details	
Description of the incident (including relevant events leading up to the incident including details of those present)	
Where did the incident(s) take place?	
Details of witnesses (full name, contact details and relationship to school)	
Name and contact details of police officer(s) involved Incident number/crime reference number	

Liverpool City Council – Dealing with disruptive or aggressive behaviour

Has the perpetrator been involved previously with similar incidents? If so, provide details	
Outcome of this incident (Was the incident resolved, if so how?)	
Any other relevant information	

Form completed by? Date form completed

Annex E –Model Complaints Policy

<https://www.gov.uk/government/publications/school-complaints-procedures>

Model complaints procedure

Insert school name/logo

Note: If using this model policy, governing bodies must tailor it to their own schools.

Who can make a complaint?

This complaints procedure is not limited to parents or carers of children that are registered at the school. Any person, including members of the public, may make a complaint to <School Name> about any provision of facilities or services that we provide. Unless complaints are dealt with under separate statutory procedures (such as appeals relating to exclusions or admissions), we will use this complaints procedure.

The difference between a concern and a complaint

A concern may be defined as *'an expression of worry or doubt over an issue considered to be important for which reassurances are sought'*.

A complaint may be defined as *'an expression of dissatisfaction however made, about actions taken or a lack of action'*.

It is in everyone's interest that concerns and complaints are resolved at the earliest possible stage. Many issues can be resolved informally, without the need to use the formal stages of the complaints procedure. <School Name> takes concerns seriously and will make every effort to resolve the matter as quickly as possible.

If you have difficulty discussing a concern with a particular member of staff, we will respect your views. In these cases, <Name>, *(school to nominate the Headteacher or the complaints administrator if one is used)*, will refer you to another staff member. Similarly, if the member of staff directly involved feels unable to deal with a concern, <Name> will refer you to another staff member. The member of staff may be more senior but does not have to be. The ability to consider the concern objectively and impartially is more important.

We understand however, that there are occasions when people would like to raise their concerns formally. In this case, <School Name> will attempt to resolve the issue internally, through the stages outlined within this complaints procedure.

How to raise a concern or make a complaint

A concern or complaint can be made in person, in writing or by telephone. They may also be made by a third party acting on behalf on a complainant, as long as they have appropriate consent to do so.

Concerns should be raised with either the class teacher or Headteacher. If the issue remains unresolved, the next step is to make a formal complaint.

Complainants should not approach individual governors to raise concerns or complaints. They have no power to act on an individual basis and it may also prevent them from considering complaints at Stage 2 of the procedure.

Complaints against school staff (except the Headteacher) should be made in the first instance, to <Name> (the Headteacher) via the school office. Please mark them as Private and Confidential.

Complaints that involve or are about the Headteacher should be addressed to <Name> (the Chair of Governors), via the school office. Please mark them as Private and Confidential.

Complaints about the Chair of Governors, any individual governor or the whole governing body should be addressed to <Name> (the Clerk to the Governing Body) via the school office. Please mark them as Private and Confidential.

For ease of use, a template complaint form is included at the end of this procedure. If you require help in completing the form, please contact the school office. You can also ask third party organisations like the Citizens Advice to help you.

In accordance with equality law, we will consider making reasonable adjustments if required, to enable complainants to access and complete this complaints procedure. For instance, providing information in alternative formats, assisting complainants in raising a formal complaint or holding meetings in accessible locations.

Anonymous complaints

We will not normally investigate anonymous complaints. However, the Headteacher or Chair of Governors, if appropriate, will determine whether the complaint warrants an investigation.

Time scales

You must raise the complaint within three months of the incident or, where a series of associated incidents have occurred, within three months of the last of these incidents. We will consider complaints made outside of this time frame if exceptional circumstances apply.

Complaints received outside of term time

We will consider complaints made outside of term time to have been received on the first school day after the holiday period.

Scope of this Complaints Procedure

This procedure covers all complaints about any provision of community facilities or services by <School Name>, other than complaints that are dealt with under other statutory procedures, including those listed below.

Exceptions	Who to contact
• Admissions to schools • Statutory assessments of Special Educational Needs • School re-organisation proposals	Concerns about admissions, statutory assessments of Special Educational Needs, or school re-organisation proposals should be raised with <insert local authority details>
• Matters likely to require a Child Protection Investigation	Complaints about child protection matters are handled under our child protection and safeguarding policy and in accordance with relevant statutory guidance. If you have serious concerns, you may wish to contact the local authority designated officer (LADO) who has local responsibility for safeguarding or the Multi-Agency Safeguarding Hub (MASH). <insert LADO/MASH details>.
• Exclusion of children from school*	Further information about raising concerns about exclusion can be found at: www.gov.uk/school-disciplineexclusions/exclusions.
	<i>*complaints about the application of the behaviour policy can be made through the school's complaints procedure. <link to school behaviour policy>.</i>
• Whistleblowing	We have an internal whistleblowing procedure for all our employees, including temporary staff and contractors. The Secretary of State for Education is the prescribed person for matters relating to education for whistleblowers in education who do not want to raise matters direct with their employer. Referrals can be made at: www.education.gov.uk/contactus.
	Volunteer staff who have concerns about our school should complain through the school's complaints procedure. You may also be able to complain direct to the LA or the Department for Education (see link above), depending on the substance of your complaint.
• Staff grievances	Complaints from staff will be dealt with under the school's internal grievance procedures.

• Staff conduct	Complaints about staff will be dealt with under the school's internal disciplinary procedures, if appropriate. Complainants will not be informed of any disciplinary action taken against a staff member as a result of a complaint. However, the complainant will be notified that the matter is being addressed.
• Complaints about services provided by other providers who may use school premises or facilities	Providers should have their own complaints procedure to deal with complaints about service. Please contact them direct.
• National Curriculum - content	Please contact the Department for Education at: www.education.gov.uk/contactus

If other bodies are investigating aspects of the complaint, for example the police, local authority (LA) safeguarding teams or Tribunals, this may impact on our ability to adhere to the timescales within this procedure or result in the procedure being suspended until those public bodies have completed their investigations.

If a complainant commences legal action against <School Name> in relation to their complaint, we will consider whether to suspend the complaints procedure in relation to their complaint until those legal proceedings have concluded.

Resolving complaints

At each stage in the procedure, <School Name> wants to resolve the complaint. If appropriate, we will acknowledge that the complaint is upheld in whole or in part. In addition, we may offer one or more of the following:

- an explanation
- an admission that the situation could have been handled differently or better
- an assurance that we will try to ensure the event complained of will not recur
- an explanation of the steps that have been or will be taken to help ensure that it will not happen again and an indication of the timescales within which any changes will be made
- an undertaking to review school policies in light of the complaint
- an apology.

Withdrawal of a Complaint

If a complainant wants to withdraw their complaint, we will ask them to confirm this in writing.

Stage 1

Formal complaints must be made to the Headteacher (unless they are about the Headteacher), via the school office. This may be done in person, in writing (preferably on the Complaint Form), or by telephone.

The Headteacher will record the date the complaint is received and will acknowledge receipt of the complaint in writing (either by letter or email) within <insert number> school days.

Within this response, the Headteacher will seek to clarify the nature of the complaint, ask what remains unresolved and what outcome the complainant would like to see. The Headteacher can consider whether a face to face meeting is the most appropriate way of doing this.

Note: The Headteacher may delegate the investigation to another member of the school's senior leadership team but not the decision to be taken.

During the investigation, the Headteacher (or investigator) will:

- if necessary, interview those involved in the matter and/or those complained of, allowing them to be accompanied if they wish
- keep a written record of any meetings/interviews in relation to their investigation.

At the conclusion of their investigation, the Headteacher will provide a formal written response within <insert number> school days of the date of receipt of the complaint.

If the Headteacher is unable to meet this deadline, they will provide the complainant with an update and revised response date.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions <School Name> will take to resolve the complaint.

The Headteacher will advise the complainant of how to escalate their complaint should they remain dissatisfied with the outcome of Stage 1.

If the complaint is about the Headteacher, or a member of the governing body (including the Chair or Vice-Chair), a suitably skilled governor will be appointed to complete all the actions at Stage 1.

Complaints about the Headteacher or member of the governing body must be made to the Clerk, via the school office.

If the complaint is:

- jointly about the Chair and Vice Chair or

- the entire governing body or
- the majority of the governing body
- Stage 1 will be considered by an independent investigator appointed by the governing body or (<insert Diocese details if appropriate>). At the conclusion of their investigation, the independent investigator will provide a formal written response.

Stage 2

If the complainant is dissatisfied with the outcome at Stage 1 and wishes to take the matter further, they can escalate the complaint to Stage 2 – a meeting with members of the governing body's complaints committee, which will be formed of the first three, impartial, governors available. This is the final stage of the complaints procedure.

A request to escalate to Stage 2 must be made to the Clerk, via the school office, within <insert number> school days of receipt of the Stage 1 response.

The Clerk will record the date the complaint is received and acknowledge receipt of the complaint in writing (either by letter or email) within <insert number> school days.

Requests received outside of this time frame will only be considered if exceptional circumstances apply.

The Clerk will write to the complainant to inform them of the date of the meeting. They will aim to convene a meeting within <insert number> school days of receipt of the Stage 2 request. If this is not possible, the Clerk will provide an anticipated date and keep the complainant informed.

If the complainant rejects the offer of three proposed dates, without good reason, the Clerk will decide when to hold the meeting. It will then proceed in the complainant's absence on the basis of written submissions from both parties.

The complaints committee will consist of at least three governors with no prior involvement or knowledge of the complaint. Prior to the meeting, they will decide amongst themselves who will act as the Chair of the Complaints Committee. If there are fewer than three governors from <School Name> available, the Clerk will source any additional, independent governors through another local school or through their LA's Governor Services team, in order to make up the committee. Alternatively, an entirely independent committee may be convened to hear the complaint at Stage 2.

The committee will decide whether to deal with the complaint by inviting parties to a meeting or through written representations, but in making their decision they will be sensitive to the complainant's needs.

If the complainant is invited to attend the meeting, they may bring someone along to provide support. This can be a relative or friend. Generally, we do not encourage either party to bring legal representatives to the committee meeting. However, there may be occasions when legal representation is appropriate.

For instance, if a school employee is called as a witness in a complaint meeting, they may wish to be supported by union and/or legal representation.

Note: Complaints about staff conduct will not generally be handled under this complaints procedure. Complainants will be advised that any staff conduct complaints will be

considered under staff disciplinary procedures, if appropriate, but outcomes will not be shared with them.

Representatives from the media are not permitted to attend.

At least <insert number> school days before the meeting, the Clerk will:

- confirm and notify the complainant of the date, time and venue of the meeting, ensuring that, if the complainant is invited, the dates are convenient to all parties and that the venue and proceedings are accessible
- request copies of any further written material to be submitted to the committee at least <insert number> school days before the meeting.

Any written material will be circulated to all parties at least <insert number> school days before the date of the meeting. The committee will not normally accept, as evidence, recordings of conversations that were obtained covertly and without the informed consent of all parties being recorded.

The committee will also not review any new complaints at this stage or consider evidence unrelated to the initial complaint to be included. New complaints must be dealt with from Stage 1 of the procedure.

The meeting will be held in private. Electronic recordings of meetings or conversations are not normally permitted unless a complainant's own disability or special needs require it. Prior knowledge and consent of all parties attending must be sought before meetings or conversations take place. Consent will be recorded in any minutes taken.

The committee will consider the complaint and all the evidence presented. The committee can:

- uphold the complaint in whole or in part
- dismiss the complaint in whole or in part.

If the complaint is upheld in whole or in part, the committee will:

- decide on the appropriate action to be taken to resolve the complaint
- where appropriate, recommend changes to the school's systems or procedures to prevent similar issues in the future.

The Chair of the Committee will provide the complainant and <School Name> with a full explanation of their decision and the reason(s) for it, in writing, within <insert number> school days.

The letter to the complainant will include details of how to contact the Department for Education if they are dissatisfied with the way their complaint has been handled by <...School>.

If the complaint is:

- jointly about the Chair and Vice Chair or
- the entire governing body or
- the majority of the governing body

Stage 2 will be heard by a committee of independent governors.

The response will detail any actions taken to investigate the complaint and provide a full explanation of the decision made and the reason(s) for it. Where appropriate, it will include details of actions <School Name> will take to resolve the complaint.

The response will also advise the complainant of how to escalate their complaint should they remain dissatisfied.

Next Steps

If the complainant believes the school did not handle their complaint in accordance with the published complaints procedure or they acted unlawfully or unreasonably in the exercise of their duties under education law, they can contact the Department for Education after they have completed Stage 2.

The Department for Education will not normally reinvestigate the substance of complaints or overturn any decisions made by <School Name>. They will consider whether <School Name> has adhered to education legislation and any statutory policies connected with the complaint.

The complainant can refer their complaint to the Department for Education online at: www.education.gov.uk/contactus, by telephone on: 0370 000 2288 or by writing to:

Department for Education
Piccadilly Gate
Store Street
Manchester
M1 2WD.

Complaint Form

Please complete and return to <...Name> (*either Headteacher / Clerk / complaints coordinator / designated governor – school to delete as appropriate*) who will acknowledge receipt and explain what action will be taken.

Your name:
Pupil's name (if relevant): Your relationship to the pupil (if relevant):

Address:

Postcode:

Day time telephone number:

Evening telephone number:

Please give details of your complaint, including whether you have spoken to anybody at the school about it.

What actions do you feel might resolve the problem at this stage?

Are you attaching any paperwork? If so, please give details.

Signature:

Date:

Official use

Date acknowledgement sent:

By who:
Complaint referred to:
Date:

Roles and Responsibilities

Complainant

The complainant will receive a more effective response to the complaint if they:

- explain the complaint in full as early as possible
- co-operate with the school in seeking a solution to the complaint
- respond promptly to requests for information or meetings or in agreeing the details of the complaint
- ask for assistance as needed
- treat all those involved in the complaint with respect
- refrain from publicising the details of their complaint on social media and respect confidentiality.

Investigator

The investigator's role is to establish the facts relevant to the complaint by:

- providing a comprehensive, open, transparent and fair consideration of the complaint through:

- sensitive and thorough interviewing of the complainant to establish what has happened and who has been involved
- interviewing staff and children/young people and other people relevant to the complaint
- consideration of records and other relevant information ○ analysing information
- liaising with the complainant and the complaints co-ordinator as appropriate to clarify what the complainant feels would put things right.

The investigator should:

- conduct interviews with an open mind and be prepared to persist in the questioning
- keep notes of interviews or arrange for an independent note taker to record minutes of the meeting
- ensure that any papers produced during the investigation are kept securely pending any appeal
- be mindful of the timescales to respond
- prepare a comprehensive report for the Headteacher or complaints committee that sets out the facts, identifies solutions and recommends courses of action to resolve problems.

The Headteacher or complaints committee will then determine whether to uphold or dismiss the complaint and communicate that decision to the complainant, providing the appropriate escalation details.

Complaints Co-ordinator (this could be the Headteacher / designated complaints governor or other staff member providing administrative support)

The complaints co-ordinator should:

- ensure that the complainant is fully updated at each stage of the procedure
- liaise with staff members, Headteacher, Chair of Governors, Clerk and LAs (if appropriate) to ensure the smooth running of the complaints procedure
- be aware of issues regarding:
 - sharing third party information
 - additional support. This may be needed by complainants when making a complaint including interpretation support or where the complainant is a child or young person
- keep records.

Clerk to the Governing Body

The Clerk is the contact point for the complainant and the committee and should:

- ensure that all people involved in the complaint procedure are aware of their legal rights and duties, including any under legislation relating to school complaints, education law, the Equality Act 2010, the Freedom of Information Act 2000, the Data Protection Act (DPA) 2018 and the General Data Protection Regulations (GDPR)
- set the date, time and venue of the meeting, ensuring that the dates are convenient to all parties (if they are invited to attend) and that the venue and proceedings are accessible

- collate any written material relevant to the complaint (for example; stage 1 paperwork, school and complainant submissions) and send it to the parties in advance of the meeting within an agreed timescale
- record the proceedings
- circulate the minutes of the meeting
- notify all parties of the committee's decision.

Committee Chair

The committee's chair, who is nominated in advance of the complaint meeting, should ensure that:

- both parties are asked (via the Clerk) to provide any additional information relating to the complaint by a specified date in advance of the meeting
- the meeting is conducted in an informal manner, is not adversarial, and that, if all parties are invited to attend, everyone is treated with respect and courtesy
- complainants who may not be used to speaking at such a meeting are put at ease. This is particularly important if the complainant is a child/young person
- the remit of the committee is explained to the complainant
- written material is seen by everyone in attendance, provided it does not breach confidentiality or any individual's rights to privacy under the DPA 2018 or GDPR.

If a new issue arises it would be useful to give everyone the opportunity to consider and comment upon it; this may require a short adjournment of the meeting

- both the complainant and the school are given the opportunity to make their case and seek clarity, either through written submissions ahead of the meeting or verbally in the meeting itself
- the issues are addressed
- key findings of fact are made
- the committee is open-minded and acts independently
- no member of the committee has an external interest in the outcome of the proceedings or any involvement in an earlier stage of the procedure
- the meeting is minuted
- they liaise with the Clerk (and complaints co-ordinator, if the school has one).

Committee Member

Committee members should be aware that:

- the meeting must be independent and impartial, and should be seen to be so
- No governor may sit on the committee if they have had a prior involvement in the complaint or in the circumstances surrounding it.

- the aim of the meeting should be to resolve the complaint and achieve reconciliation between the school and the complainant

We recognise that the complainant might not be satisfied with the outcome if the meeting does not find in their favour. It may only be possible to establish the facts and make recommendations.

- many complainants will feel nervous and inhibited in a formal setting Parents/carers often feel emotional when discussing an issue that affects their child.
- extra care needs to be taken when the complainant is a child/young person and present during all or part of the meeting

Careful consideration of the atmosphere and proceedings should ensure that the child/young person does not feel intimidated.

The committee should respect the views of the child/young person and give them equal consideration to those of adults.

If the child/young person is the complainant, the committee should ask in advance if any support is needed to help them present their complaint. Where the child/young person's parent is the complainant, the committee should give the parent the opportunity to say which parts of the meeting, if any, the child/young person needs to attend.

However, the parent should be advised that agreement might not always be possible if the parent wishes the child/young person to attend a part of the meeting that the committee considers is not in the child/young person's best interests.

- the welfare of the child/young person is paramount.